UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

WILLIAM R. CANADA, JR.)	
Plaintiff,)	
v.) Case No) Judge E	. 3:09-0127 chols
AMERICAN AIRLINES, INC. PILOT)	
RETIREMENT BENEFIT PROGRAM, and)	
AMERICAN AIRLINES, INC., as)	
Administrator of the Pilot Retirement Benefit)	
Program,)	
)	
Defendants.)	

ORDER

For the reasons set forth in the accompanying Memorandum, the Court hereby rules as follows:

- (1) "Defendants' Motion to Transfer Venue" (Docket Entry No. 35) is hereby DENIED; and
- (2) "Defendants' Motion to Dismiss Plaintiff's Original Complaint" (Docket Entry No. 38) is hereby GRANTED IN PART and DENIED IN PART. The Motion is GRANTED solely with respect to Count Three of Plaintiff's Complaint and that Count is hereby DISMISSED WITHOUT PREJUDICE. In all other respects, the Motion to Dismiss is hereby DENIED.

This case is hereby returned to the Magistrate Judge for further pretrial case management in accordance with Local Rule 16.01.

It is so ORDERED.

ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE